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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

TEVA PHARMACEUTICAL INDUSTRIES)
LTD. and TEVA PHARMACEUTICALS USA,)
INC.,)
Plaintiffs)
)
v.) Civil Action No. 07-4942 (GEB) (JJH)
)
ZYDUS PHARMACEUTICALS, INC. and)
CADILA HEALTHCARE LIMITED,)
Defendants.)
)

STIPULATION AND [PROPOSED] ORDER OF PARTIAL DISMISSAL

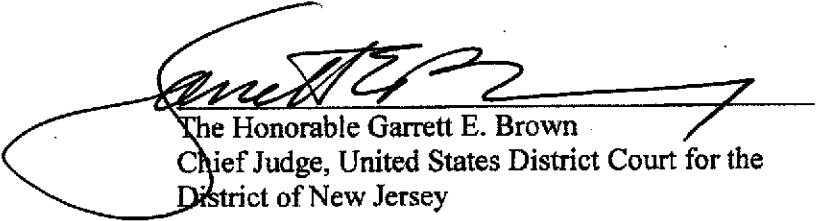
WHEREAS the parties hereto, Plaintiffs Teva Pharmaceutical Industries Ltd. and Teva Pharmaceuticals USA, Inc. (together "Teva") and Defendants Zydus Pharmaceuticals, Inc. and Cadila Healthcare Limited (together "Zydus"), having advised the Court that all controversies between them as to U.S. Patent No. 7,056,942 (the "942 Patent") have been resolved and that with respect to U.S. Patent No. 6,710,184 (the

“‘184 Patent”) the controversy between the parties regarding infringement has been resolved pursuant to a covenant-not-to-sue tendered by Teva dated October 23, 2008, but the parties continue to dispute whether jurisdiction exists over Zydus’s other counterclaims regarding the ‘184 Patent,

IT IS HEREBY STIPULATED AND ORDERED THAT,

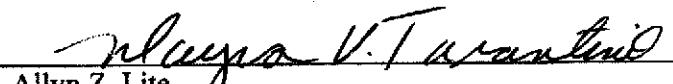
Teva’s claims under the ‘942 Patent and the ‘184 Patent, Zydus’s counterclaims with respect to the ‘942 Patent, and its non-infringement counterclaim (the Third Counterclaim) with respect to the ‘184 Patent are DISMISSED with prejudice in their entirety and without costs to any party.

SO ORDERED. *this 13th day of November, 2008.*


The Honorable Garrett E. Brown
Chief Judge, United States District Court for the
District of New Jersey

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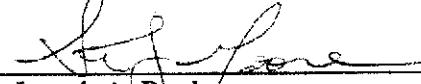
Dated: *11/11/08*


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KELLEY DRYE & WARREN LLP

Dated: 11-11-08


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